

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB418

Hearing Date: Tuesday January 31, 2017
Committee On: Transportation and Telecommunications
Introducer: Briese
One Liner: Update certain references to federal regulations regarding motor vehicles and motor carriers

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Bostelman, Briese, Friesen, Geist, Hilgers, Hughes, Murante, Smith
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Tom Briese
Gerry Krolikowski

Representing:

District 41
Nebraska State Patrol

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 418 is the annual update of federal regulations that have been incorporated by reference into Nebraska law for the following motor vehicle and motor carrier related laws. The federal regulation adoption date for each section of law is updated to those regulations in existence and effective as of January 1, 2017.

The bill also amends section 75-369.03 and increases the amount of civil fine penalty that can be assessed by the Superintendent of Law Enforcement and Public Safety for specified motor carrier violations and also amends the intrastate hours of service requirements.

Section 1-Section 60-119.01- low-speed vehicle definition (titling)

Section 2- Section 60-336.01- low-speed definition (registration)

Section 3- Section 60-386- motor vehicle registration

Section 4- Section 60-3,113.04- handicapped/disabled parking permits

Section 5- Section 60-3,193.01- International Registration Plan

Section 6- Section 60-462.01- Motor Vehicle Operator's License Act

Section 7- Section 60-479.01- Motor Vehicle Operator's License Act, criminal background checks

Section 8- Section 60-4,147.02- commercial driver's license- hazardous materials endorsement

Section 9- Section 60-501- Motor Vehicle Safety Responsibility Act, low-speed vehicle definition

Section 10- Section 60-628.01- low-speed vehicle definition

Section 11- Section 75-363- federal Motor Carrier Safety Regulations, adoption

The section also amends the substantive provisions of the intrastate hours of service requirements to provide that the

required period of off duty time under the intrastate rules shall be 10 consecutive hours off duty, rather than the current 8 hours.

Section 12- Section 75-364-federal Hazardous Material Regulations, adoption

Section 13- Section 75-366- federal Motor Carrier Safety Regulations/federal Hazardous Material Regulations, authority of law enforcement officers

Section 14- Section 75-369.03- Superintendent of Law Enforcement and Public Safety, imposition of civil penalties against motor carriers.

This section authorizes the Superintendent of Law Enforcement to impose civil penalties against a motor carrier or driver for violations of the federal Motor Carrier Safety Regulations as adopted pursuant to section 75-363.

-Motor Carriers who knowingly allow, require, permit, or authorize a driver to violate any law or regulation relating to highway- rail crossings. The maximum civil penalty for a violation is increased from \$10,000 to \$15,474.

-Drivers violating an out-of-service-order. The civil penalty is changed from not less than \$2,500, but not more than \$5,000 for a first violation and less than \$5,100 but no more than \$7,500 for a second or subsequent violation to a civil penalty not less than \$2,985 for a first violation and not less \$5,970 for a second or subsequent offense.

-Motor carriers who knowingly allow, require, permit, or authorize the operation of a commercial motor vehicle in violation of an out-of-service order. The civil penalty is changed from not less than \$\$2,750 nor more than \$25,000 per violation to not less than \$5,391 nor more than \$29,849 per violation.

Section 15- Section 75-392-Unified carrier registration plan and agreement

Section 16-Section 75-303-Unified carrier registration plan and agreement

The bill contains the Emergency Clause.

Curt Friesen, Chairperson